REMARKS

Reconsideration and allowance are respectfully requested. Claims 5, 21, 22, 32, 40 and 41 have been amended. Claims 1-41 remain pending.

The Examiner objected to the drawings because portions of Fig. 1 are illegible. A separate Drawing Change Authorization Request accompanies this Amendment.

The specification has been amended to correct the informalities noted by the Examiner.

Claims 5, 22, 28 and 41 stand rejected under 35 U.S.C. 112, second paragraph as being indefinite. The claims have been carefully reviewed and revised to be in full compliance with 35 U.S.C. 112. Therefore, the rejection should be withdrawn.

Claims 1-4, 6, 7, 11-14, 19-21, 23, 27-31, 33, 34 and 38-40 stand rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. This rejection is respectfully traversed.

The independent claims relate to voice-based instant messaging services, calling service and voice messaging services that advantageously may be deployed on a platform that is customizable, scalable, and built upon open standards such as Internet protocol. In method claim 1, it is determined whether a second party is available to receive a message established in an application session of a first party and, based on the determined availability of the second party, a HTML page is generated having instructions for a browser to notify the second party of a new application session for the second party so as to present the message to the second party.

By preserving multiple sessions, parties involved in an instant messaging session, a voice messaging session or a calling session can suspend their present session or activity for a moment to create a new session to exchange audio messages and when finished, can instantly resume the suspended session. Thus, users have freedom of access providing them the means of making and receiving calls and message management anytime and virtually anywhere.

The Examiner contends that Chang et al. teach the steps of determining whether a second party is available to receive a message established in an application session of a first party and based on the determined availability of the second party, generating a HTML page having instructions for a browser to notify the second party of a new

application. It is clear from column 2, lines 36-38 of Chang et al. that a determination is made of when a recipient is logged on to a network and if so, any messages stored in the recipient's mailbox are provided to the recipient. In Chang et al. a party has left a message in the mailbox of the recipient and the party has ended his session. The recipient merely is able to receive any messages in his mailbox when he is logged onto a network.

Thus, Chang et al. do not determine whether a second party is available to receive a message established in an application session of a first party and generate a HTML page having instructions for a browser to notify the second party of a new application session for the second party so as to present the message, established in an application session of a first party, to the second party. As discussed at page 15, lines 21 to page 16, line 10 of the specification, in an instant messaging scheme for example, if the second party is available, (currently in a session with an application server) the application server serving the first party generates a HTML page having instructions for notifying the second party of a new application session (so as to communicate with the first party). As noted above, Chang et al. do not teach or suggest notifying a second party a new application session to present a message, established in an application session of a first party, to a second party. Accordingly, Chang et al. fail to teach or suggest the claimed method steps of claim 1 and thus, the rejection should be withdrawn.

With regard to claims 2, 3, 21, 29, 30 and 40, the Examiner contends that Chang et al teaches a generating step that includes inserting a uniform resource locator (URL) within the HTML page causing the browser to request interruption of a present application session of the second party to create the new application session for the second party. Column 8, lines 49-62 of Chang et al. disclose a method for a recipient to access messages via a web page and has nothing to do with causing a browser to request interruption of a present application session of a second party to create a new application session for the second party. Therefore, the rejection of claims 2, 3, 29 and 30 is improper and should be withdrawn.

With regard to claim 4, the Examiner contends that Chang et al. further discloses initiating an application instance for execution of the new application session for the

second party based on a server-side data record configured for storing a state of the new application session and selected based on the new session identifier, in response to receipt of the URL from the browser. In Chang et al., a recipient is merely able to retrieve messages via a web page. This is not a teaching of a first party causing a browser to create a new application session for a second party. Thus, the rejection of claim 4 is improper and should be withdrawn.

Claims 6, 7 and 11 depend from claim 1 and are considered to be allowable for the reasons advanced above with regard to claim 1 and for the additional reason that the added subject matter of claims 6, 7 and 11 is not taught by Chang et al.

The Examiner contends that Chang et al. teach the steps of claim 12 but only cites Chang et al. column 2, lines 36-46 to support such teaching. Column 2, lines 26-46 of Chang et al. merely disclose a method for a recipient to retrieve his messages. There is no indication of a first and second party in Chang et al. let alone, establishing a first non-persistent application instance serving a first party, establishing a second non-persistent application instance serving a second party; and generating, in the first application instance, an HTML page having instructions for a persistent browser instance, having received the HTML page, to initiate a new application session for the second party. The Examiner is requested to point-out where Chang et al. teach a first application instance serving a first party that provides instructions to initiate a new application session for a second party. For these reasons, the rejection of claim 12 is improper and should be withdrawn.

Claims 13-19 depend from claim 12 and are considered to be allowable for the reasons advanced above with regard to claim 12 and for the additional reason that the added subject matter thereof is neither taught nor suggested by Chang et al.

The Examiner contends that Chang et al. teach the application server of claim 20 including an application runtime environment configured for dynamically generating, for a first party, a hypertext markup language (HTML) document having instructions for a browser to notify a second party of a new application session for the second party, based on a determination that the second party is available to receive the HTML document, the application runtime environment being configured to access a common resource containing information regarding both the first and second parties. Chang et

al. teach no such environment. Again, Chang et al. merely teach a method of retrieving messages stored in a recipient's mailbox. There is simply no environment in Chang et al. for generating, for a first party, a HMTL document having instructions for a browser to notify a second party of a new application session for the second party. In Chang et al., when the recipient is logged on to a network the same recipient can retrieve his messages. In Chang et al., there is no second party being notified by a first party of a new application session for the second party. Thus, the rejection is improper and should be withdrawn.

Claims 23 and 27 depend from claim 20 and are considered to be allowable since Chang et al. fail to teach the subject matter of claim 20.

The Examiner contends that Chang et al. teach the computer readable medium of claim 28 including the steps of determining whether a second party is available to receive a message established in an application session of a first party; and based on the determined availability of the second party, generating a HTML page having instructions for a persistent browser to notify the second party of a new application session for the second party so as to present the message to the second party. As noted above, Chang et al. do not generate a HTML page having instructions for a persistent browser to notify the second party of a new application session for the second party so as to present the message to the second party. In no way do Chang et al. teach a first party contacting a second party using an HTML page. Chang et al. merely notes that messages can be forwarded to a second computer via a network. Therefore, the rejection is improper and should be withdrawn.

With regard to claim 31, the Examiner contends that Chang et al. further disclose initiating an application instance for execution of the new application session for the second party based on a server-side data record configured for storing a state of the new application session and selected based on the new session identifier, in response to receipt of the URL from the browser. In Chang et al., a recipient is merely able to retrieve messages via a web page. This is not a teaching of a first party causing a browser to create a new application session for a second party. Thus, the rejection of claim 31 is improper and should be withdrawn.

Claims 33, 34 and 38 depend from claim 28 and are considered to be allowable for the reasons advanced above with regard to claim 28 and for the additional reason that the added subject matter these claims is not taught by Chang et al.

The Examiner contends that Chang et al. teach an application server including means for dynamically generating, for a first party, a hypertext markup language (HTML) document having instructions for a browser to notify a second party of a new application session for the second party so as to present a message from the first party to the second party, based on a determination that the second party is available to receive the message. As noted above, Chang et al. do not teach generating a HTML document by a first party having instructions for a browser to notify a second party of a new application session for the second party. Therefore, the rejection is improper and should be withdrawn.

Claims 5, 8-10, 15, 16, 18, 22, 24-26, 32, 35-37, and 41, stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. These claims depend from the independent claims discussed above and are considered to be in condition for allowance for the reasons advanced above with respect to the independent claims.

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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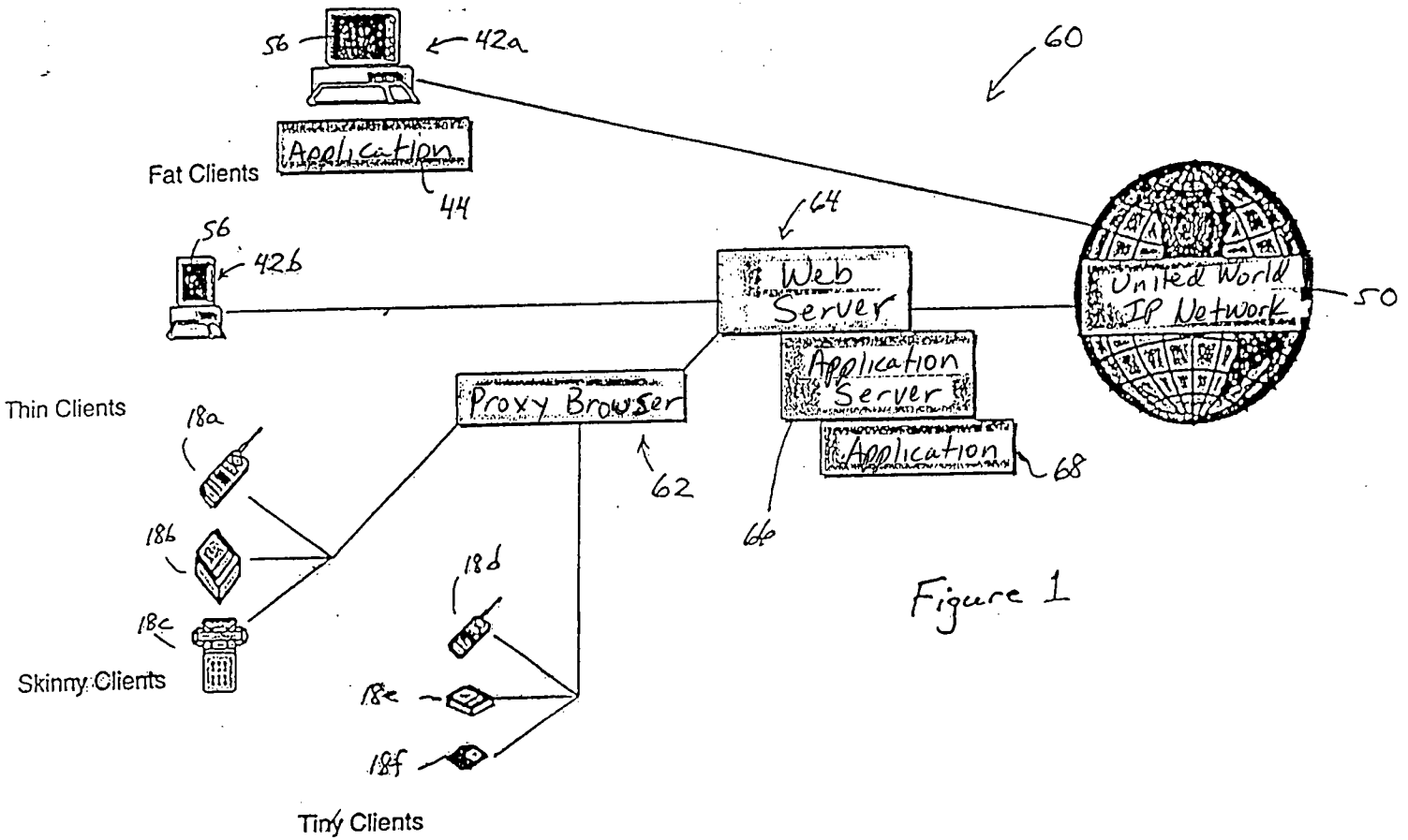

Figure 1